

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

ANDREW LEE FLOWERS, JR.,)	
)	
Plaintiff,)	
vs.)	No.: 19 CV 06423
)	
WEXFORD HEALTH SOURCES, INC.;)	
PATRICIA BURKE, M.D., sued in her)	
Individual capacity; CLAUDE OWIKOTI,)	
Sued in his individual capacity; MICHAEL)	
RUSSELL, O.D., sued in his individual)	Honorable Robert W. Gettleman
Capacity; KRISTA HYATT-TORRES,)	
Sued in her individual capacity; DEBORAH)	
MCCALLUM, sued in her individual)	
capacity; JESSICA ORTEGON, sued in her)	Honorable Jeffrey T. Gilbert
individual capacity; VICTORIA PLUMMER,)	
sued in her individual capacity; MELISSA D.)	
LAMESCH, sued in her individual capacity; and)	
JOHN DOES, currently unknown employees of)	
the Illinois Department of Corrections or Wexford)	
Health Sources, Inc.,)	
)	
Defendants.)	

JOINT STATUS REPORT REGARDING DEFENDANTS' DEPOSITION DATES AND
DR. BERDY'S DOCUMENTS

On October 23, 2020 the Court ordered the parties, among other things, to file a status report by November 6, 2020 providing “confirmed dates for Defendants' depositions, a date by which Plaintiff will supply proposed Rule 30(b)(6) topics to Wexford, and a date or dates upon which Wexford's Rule 30(b)(6) representative(s) will be deposed.” (Dkt. #88) At the same time, the Court ordered that “Plaintiff shall file a short joint notice confirming that Dr. Berdy's documents have been produced within three (3) business days of that occurring.” (*Id.*)

The parties report as follows:

1. Plaintiff reports that today, counsel for Dr. Russell, circulated to the parties copies of the documents produced by Dr. Berdy in response to her subpoena on him.

2. With respect to dates for depositions of the Defendants:

- a. Dr. Russell is available for his deposition on the mornings January 27, 2021, February 3, 2021 or February 24, 2021. Plaintiffs' counsel has suggested January 27, 2021 and the other parties are considering that date;
- b. Counsel for the IDOC defendants (Ms. Hyatt-Torres and Ms. McCallum) expects to provide proposed dates by next Wednesday;
- c. Counsel for Dr. Burke expects to provide proposed deposition dates by next Wednesday;
- d. Counsel for the other individual defendants (Ms. Lamesch, Mr. Owikoti, Ms. Ortegon and Ms. Plummer) expects to provide proposed deposition dates by next Friday.

3. Plaintiff will serve a 30(b)(6) deposition notice on Wexford shortly after the bulk of the individual defendants are deposed. Counsel for defendants have indicated they will attempt to set those depositions for January or early February. If that occurs, Plaintiff will be able to serve its 30(b)(6) notice by the second week of February.

4. Counsel for Wexford has stated that will try to schedule the 30(b)(6) depositions of Wexford within 30-45 days of receiving the 30(b)(6) deposition notice.

The parties suggest they file a joint status report providing the dates for the individual Defendants' depositions and for Plaintiff's service of the 30(b)(6) notice on Wexford by Wednesday, November 18, 2020.

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Deborah McCallum*

CERTIFICATE OF SERVICE

I hereby certify that on November 6, 2020, I caused the foregoing to be uploaded to the court's CM/ECF system which will send notification of such filing to all counsel of record.

/s/ Aaron A. Barlow
Aaron A. Barlow